

★★IMPORTANT NOTICE★★

PRE-ELECTION COMMUNICATION RESTRICTIONS

Dear Colleague:

With the 2007 election cycle approaching, the Commission on Congressional Mailing Standards (Franking Commission) would like to take this opportunity to review the regulations governing the distribution of mass mailings and communications prior to an election.

Mass Mailings

Section 3210 (a)(6)(A), Title 39 U.S.C. provides that a Member may not mail any mass mailings during the 90 days immediately preceding the date of any election (primary, general, special, or run off) **in which the Member's name will appear on the ballot** as a candidate for election or re-election to any public office.

A mass mailing is defined as an unsolicited mailing of 500 or more pieces of substantially identical content - whether mailed singly or in bulk - over the course of a legislative year (January 3 of one year through January 2 of the following year).

Mass Communications

Likewise, the Regulations of the Committee on House Administration governing the use of official resources and the Member's Representational Allowance prohibit the reimbursement of any expenses incurred in support of the preparation, production, distribution, etc. of any mass communication – regardless of media – if such communication occurs during the 90 days immediately preceding the date of any election (primary, general, special, or run off) **in which the Member's name will appear on the ballot** as a candidate for election or re-election to any public office.

A mass communication is defined, consistent with the definition of a mass mailing, as any communication of substantially identical content to 500 or more individuals over the course of a legislative year, regardless of media. Examples of mass communications include but are not limited to:

- Automated telephone (“robo”) calls.
- E-communications distributed to a non-subscriber e-mailing list.
- Advertisements (radio, TV, internet, newspaper, etc.) of town hall meetings or of the personal appearance of the Member and/or the Member's employees at an official

- Mass mailings, e.g., newsletters, meeting notices, newspaper inserts, surveys and questionnaires, etc.

(over)

- Facsimiles.
- Posters, flyers, leaflets, handouts, etc.
- Video or audio communications for which a Member may incur expenses for production, distribution, and/or broadcast.

The restrictions do not apply to:

- Advertisements for employment and internship opportunities in the Member's congressional office, U.S. Military Academy Days, and An Artistic Discovery.
- E-communications distributed to a subscriber e-mailing list of residents of the Member's district.
- Mailings or communications which are in direct response, i.e., a solicited response, to inquiries or requests from the person to whom the response is directed.
- Mass mailings or communications to Members of Congress, government officials (Federal, state, and/or local, and mailings of news releases to bona fide communications media outlets.
- Updates to the Member's official web site.
- Video teleconferencing services in support of the conduct of a meeting being hosted by the Member.

It is imperative that each Member and his/her staff be knowledgeable of their state election laws and how they may apply to these pre-election mailing and communication restrictions. **Do not** rely on vendors to be aware of these restrictions and when and how they apply to the distribution of your official mailings and communications.

For your convenience, please find attached an up to date list of the 2007 congressional primary election dates and the ("cutoff") date on which the corresponding 90-day pre-election period begins. The list includes this information in both an alphabetical-by-state and chronological format.

If you or your staff have any question regarding the pre-election mailing and communication restrictions, please do not hesitate to contact the Franking Commission at x59337 (majority) or x60647 (minority).

Sincerely,

/s

/s

Michael E. Capuano
Chairman

Vernon J. Ehlers
Ranking Member

Office of the
Majority
Tel. 202-225-9337

**COMMISSION ON
CONGRESSIONAL MAILING
STANDARDS**

Office of the
Minority
Tel. 202-226-0647

U.S. HOUSE OF REPRESENTATIVES
1216 Longworth House Office Building
Washington, DC 20515-6230

★2008 CONGRESSIONAL PRIMARY ELECTION DATES★

★★CHRONOLOGICAL BY PRIMARY DATE★★

★★★DATES ARE SUBJECT TO CHANGE★★★

STATE	PRIMARY DATE	CUT OFF DATE
ILLINOIS	February 5	November 7, 2007
MARYLAND	February 12	November 14, 2007
OHIO	March 4	December 5, 2007
TEXAS	March 4	December 5, 2007
PUERTO RICO	March 9	December 10, 2007
MISSISSIPPI	March 11	December 12, 2007
PENNSYLVANIA	April 22	January 34
INDIANA	May 6	February 6
NORTH CAROLINA	May 6	February 6
NEBRASKA	May 13	February 13
WEST VIRGINIA	May 13	February 13
ARKANSAS	May 20	February 20
KENTUCKY	May 20	February 20
OREGON	May 20	February 20
IDAHO	May 27	February 27
ALABAMA	June 3	March 5
CALIFORNIA	June 3	March 5
IOWA	June 3	March 5
MONTANA	June 3	March 5
NEW JERSEY	June 3	March 5
NEW MEXICO	June 3	March 5
SOUTH DAKOTA	June 3	March 5
MAINE	June 10	March 12
NORTH DAKOTA	June 10	March 12
SOUTH CAROLINA	June 10	March 12

VIRGINIA	June 10	March 12
UTAH	June 24	March 26
GEORGIA	July 15	March 16
OKLAHOMA	July 29	March 29
KANSAS	August 5	May 7
MICHIGAN	August 5	May 7
MISSOURI	August 5	May 7
TENNESSEE	August 7	May 9
COLORADO	August 12	May 14
CONNECTICUT	August 12	May 14
NEVADA	August 12	May 14
WASHINGTON	August 19	May 21
WYOMING	August 19	May 21
ALASKA	August 26	May 28
FLORIDA	August 26	May 28
ARIZONA	September 2	June 4
GUAM	September 6	June 8
LOUISIANA	September 6	June 8
DELAWARE	September 9	June 11
DISTRICT OF COLUMBIA	September 9	June 11
MINNESOTA	September 9	June 11
NEW HAMPSHIRE	September 9	June 11
RHODE ISLAND	September 9	June 11
VERMONT	September 9	June 11
WISCONSIN	September 9	June 11
U.S. VIRGIN ISLANDS	September 13	June 15
MASSACHUSETTS	September 16	June 18
HAWAII	September 20	June 22
NEW YORK^[1]	September ?	June ?
AMERICAN SAMOA	November 4	August 6
GENERAL ELECTION	NOVEMBER 4	AUGUST 6

^[1] Dates to be determined

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